Appendix D Exhibit Log Exhibit 1 Notice of Program Evaluation, dated September 25, 2012, and Records Request

Inspection Dates: October 23-24, 2012



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 10

1200 Sixth Avenue, Suite 900 Seattle, Washington 98101-3140

SEP 2 5 2012

OFFICE OF COMPLIANCE AND ENFORCEMENT

Reply to OCE-133

#### CERTIFIED MAIL -RETURN RECEIPT REQUESTED

Aaron G. Reardon Snohomish County Executive 3000 Rockefeller Avenue Everett, Washington 98201

Re: Snohomish County, Washington (hereinafter, Snohomish County) Municipal Separate Storm

Sewer System - Notice of Program Evaluation (Permittee Coverage No. WAR04-4502)

Dear Mr. Reardon:

This letter provides formal notification that the U.S. Environmental Protection Agency Region 10 (EPA) will be conducting a focused evaluation and inspection of your Phase I Municipal Separate Storm Sewer System (MS4) program. Representatives from EPA, the State of Washington Department of Ecology (Ecology), and PG Environmental, LLC (PG), a contractor to the EPA, will be present. The program evaluation will be performed pursuant to 40 C.F.R. §122.41(i) and your National Pollutant Discharge Elimination System (NPDES) Permit No. WAR04-4502. The goal of the program evaluation is to determine your overall success and effectiveness in meeting the conditions and requirements contained within the permit.

We have scheduled the inspection for Tuesday, October 23, 2012, through Wednesday, October 24, 2012. We would like to start at 8:00 a.m. at the Snohomish County offices on Tuesday, October 23, 2012. Snohomish County is asked to provide a suitable location where EPA Region 10, Ecology, PG, Snohomish County, and other appropriate MS4 permittee staff can meet on Tuesday, October 23, 2012 through Wednesday, October 24, 2012. The program evaluation will consist of interviews with the MS4 permittee staff members, file reviews, and inspections of multiple aspects of Snohomish County operations.

We plan to review the stormwater program procedures and practices of Snohomish County and will need appropriate personnel knowledgeable about these specific program areas to be available. Therefore, in an effort to minimize disturbances to staff and ensure that proper personnel (including inspectors) are available, we have prepared a program evaluation agenda for each day (See electronic file/table attached to email transmittal). The draft agenda serves to schedule this evaluation and to help you identify the appropriate person(s) who should be present during the office and in-field review. We can make small adjustments to this itinerary to meet schedule conflicts if necessary. In addition, we intend to hold a conference call with you in the weeks preceding the inspection to discuss logistics.

Upon conclusion of the program inspection, we will provide an exit interview during which we can discuss the preliminary findings. All findings will remain preliminary until the delivery of a detailed evaluation report.

To assist with the MS4 evaluation, EPA is requesting the information listed in the enclosed spreadsheet (See electronic file/spreadsheet attached to email transmittal). The spreadsheet is intended to be filled-out electronically. EPA is requesting this information pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. §1318.

For the most part, EPA requests that the information be provided during the applicable program element discussions scheduled for Tuesday, October 23, 2012. However, Item Nos. 1, 3-5, 8-12, 23, and 33 are highlighted in red, as these are primarily needed to help us understand what can be accomplished during our field exercises. Please provide the completed spreadsheet via e-mail and Item Nos. 1, 3-5, 8-12, 23, and 33 of the information request via mail or e-mail by October 15, 2012. Note that the deadline for your response is intended to allow us some time to review specific information that you submit before the inspection takes place. Wherever you are unable to provide a response in the required timeframe, please note that fact in your response. Please be aware that your lack of a response may necessitate a more in-depth investigation of the applicable portions of your stormwater management program. If some of the documents requested are extremely large and not available in electronic format, please have those documents available on-site for review, and indicate which documents you will have available on-site.

Please be aware that some of the items in the enclosed spreadsheet may not be applicable to the way your particular program is structured. If that is the case, please provide an explanation in the comments field of the spreadsheet, and we can discuss in more detail during the inspection. EPA will likely request additional/specific documents during the inspection as we become aware of them (note that the records request contains place holders for anticipated items). A copy of the response should be mailed to both:

Julie Congdon
U.S. EPA, Region 10
1200 6<sup>th</sup> Avenue, Suite 900, OCE-133
Seattle, WA 98101
congdon.julie@epa.gov

and

Candice Owen
U.S. EPA Contractor
PG Environmental, LLC
607 10<sup>th</sup> Street, Suite 307
Golden, CO 80401
candice.owen@pgenv.com

Failure to provide all the requested information or to adequately explain the basis for such failure, or to make any false material statement or representation in response to this Information Request constitutes a violation of the Section 308 of the CWA. A violation of Section 308 of the CWA may result in an enforcement action and the imposition of civil and/or criminal penalties or fines as provided under Section 309 of the CWA, 33 U.S.C. §1319, and Title 18 of the United States Code, 18 U.S.C. §1001.

Although the information requested may be submitted to EPA, you are entitled to assert a business confidentiality claim under 40 C.F.R. Part 2, Subpart B. If EPA determines your business confidentiality claim meets the criteria under 40 C.F.R. § 2.208, the information will be disclosed only to the extent described under 40 C.F.R. Part 2, Subpart B. Unless a confidentiality claim is asserted at the time the requested information is submitted, EPA may make the information available to the public without further notice to you.

We look forward to your cooperation with this matter. If you have questions about this inspection, please contact Julie Congdon, Compliance Officer at (206) 553-2752.

We thank you in advance for your cooperation.

Sincerely.

Edward J. Kowalski

Director

Enclosures

cc w/enc: Bill Leif

Snohomish County

Rachel McCrea

Washington State Department of Ecology

Sent via email and U.S. mail

| :)/Data Requested   | Document/Data Provided<br>(please select Yes/No) | Document/Data Provided   Formal Title(s) of Document(s) Provided and (please select Yes/No) | Department Responsible for<br>Document(s) | Web Link to Document(s) Provided (Yes/No; please provide web address information) | Data Entry/Addition<br>Requested Iten |
|---|--|---|---|---|---------------------------------------|
| nent Program (SWMP)<br>ily operating under)   |  |   |   |   |                                       |
| tion of public comments   |  |   |   |   |                                       |
| most recent Reporting   |  |   |   |   |                                       |
| al chart and/or a sartments and personnel mentation of your MS4 ponsibilities                 |  |   |   |   |                                       |
| area and receiving waters, including any TMDL or  |  |   |   |   |                                       |
| ernmental coordination<br>ounty departments for<br>ur MS4 programs (i.e.,<br>ner coordination |  |   |   |   |                                       |
| ncy" agreements with other<br>nents for implementation<br>is (e.g., memoranda of              |  |   |   |   |                                       |
| iture (most recent Fiscal   |  |   |   |   |                                       |
| cent Fiscal Year)   |  |   |   |   |                                       |
| g Source  |  |   |   |   |                                       |
| 34 Outfalls (Indicate ed)   |  |   |   |   |                                       |

| ıt(s) Requested   | Document Provided<br>(please select Yes/No) | Formal Title(s) of Document(s) Provided and Date/Version | Department Responsible for Document(s) | Web Link to Document(s) Provided (Yes/No; please provide web address information) | Additional Information<br>(Comn |
|---|---|--|--|---|---------------------------------|
| County facilities and permitted area (e.g., road s, stockpile sites, storage gareas, etc.)                  |   |  |  |   |                                 |
| rmwater Pollution PPP) document—EPA r select additional sites at tion                                       |   |  |  |   |                                 |
| pment maintenance or<br>tterial storage facilities<br>the County that are<br>\$4 Permit                     |   |  |  |   |                                 |
| cility/yard inspections water purposes (most r)—EPA Inspection Team tes at the time of the                  |   |  |  |   |                                 |
| actices, policies and pollutants on Permittee g: parks, open space, road mance yards, and and flow controls |   |  |  |   |                                 |
| ds developed for (e.g., catch basins, and flow controls)  |   |  |  |   |                                 |
| as and maintenance of<br>uding: pipes and culverts,<br>nd ditches (Examples from                            |   |  |  |   |                                 |
| ning plan/program, pertaining to pollution sekeeping (most recent   |   |  |  |   |                                 |
| perating procedures used sort this SWMP   |   |  |  |   |                                 |

|  | 2  | , The state of the | , ,                                       |   |                                 |
|--|--|--|---|---|---------------------------------|
| ıt(s) Requested  | Document Provided (please select Yes/No) | Formal Title(s) of Document(s) Provided and<br>Date/Version  | Department Responsible for<br>Document(s) | Web Link to Document(s) Provided (Yes/No; please provide web address information) | Additional Information<br>(Comn |
| atory mechanism(s) ion of source control enerating sources ng land uses and activities |  |  |   |   |                                 |
| ecords completed for<br>sources - EPA Inspection<br>sific sites at the time of the     |  |  |   |   |                                 |
| d uses/businesses that are ing the catagories of land n Appendix 8 of Phase I          |  |  |   |   |                                 |
| ig complaint-based   |  |  |   |   |                                 |
| nal information provided to  |  |  |   |   |                                 |
| :-Certification process (if  |  |  |   |   |                                 |
| ogressive enforcement  |  |  |   |   |                                 |
| source control incident as used (ideally full extent rity)                             |  |  |   |   |                                 |
| syllabus for Permittee staff<br>are implementing the<br>m (most recent Reporting       |  |  |   |   |                                 |
| perating procedures used oort these SWMP   |  |  |   |   |                                 |

| to and page to more  | ned decided problems elements                              | some and for any days to all at a tagent a time   | reeron common, consecutive             | ions, and endare tong term ocean of post edification                              |                                   |
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| related ordinance(s) or a(s) pertaining to ar treatment and flow new development and re- |  |   |  |   |                                   |
| st-construction control  |  |   |  |   |                                   |
| st-construction stormwater<br>s within the County's<br>iating County<br>private)         |  |   |  |   |                                   |
| or permanent stormwater<br>antrols inspections, both<br>owned (most recent               |  |   |  |   |                                   |
| and maintenance<br>struction stormwater<br>s (Examples from most<br>r)                   |  |   |  |   |                                   |
| cent policy requiring sites nce  |  |   |  |   |                                   |
| syllabus for Permittee staff<br>struction stormwater<br>inspections (most recent         |  |   |  |   |                                   |
| tems Requested Above: Pro  | ovide Any Other Documen                                    | tems Requested Above: Provide Any Other Documents or Tools You Believe Demonstrate Program Development and Structure. | Development and Structure.             |   |                                   |
| Formal Title of Do   | Formal Title of Document Provided (including Date/Version) | ing Date/Version)   | Department Responsible for<br>Document | Web Link to Document Provided   | Additional Information F<br>(Comn |
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# Exhibit 2 Snohomish County Response Inventory Submitted October 18, 2012 and October 23, 2012

Inspection Dates: October 23-24, 2012

| EPA<br>Request | Information Requested  | Information or information source   | Comments  |
|----------------|--|---|---|
| #              |  |   |   |
| -              | Stormwater Management Program (SWMP) Plan (Version currently operating under)  |   | This page contains links to the 2012 SWMP and 2012<br>Structural Stormwater Controls Program  |
| က              | MS4 Annual Report (most recent Reporting Year)   | http://www1.co.snohomish.wa.us/Departments/Public Works/Services/NPD_ES/npdesreports 03-Dec.2010 07-28-09.htm | This page contains a link to the 2011 annual report   |
| 4              | Program organizational chart and/or a description of the departments and personnel involved in the implementation of your MS4 program and their responsibilities | See "October 15 2012 Records Request Response - Line 4 - Departmental responsibilities.docx"                  |   |
| ro             | Map of the permitted area and receiving waters, basins, and segments, including any TMDL or 303(d) listed waters   | http://apps.ecv.wa.gov/wqawa2008/viewer.htm   | This page is Ecology's interactive map showing 303(d) listed water bodies. The user can select a subarea of the map (e.g., Snohomish County or a subarea of Snohomish County to view 303(d) listed water body segments in detail. Also, Appendix 2 of the 2013-2018 NPDES Phase 1 municipal stormwater permit lists specific requirements for Snohomish County pursuant to the following TMDLs: Stillaguamish River, Snohomish River Tributaries, North Creek, and Swamp Creek. |
| ∞              | MS4 Annual Expenditure (most recent Fiscal Year)   | \$14.1M   | Combination of estimated and actual expenditures for 2011   |
| თ              | MS4 Budget (most recent Fiscal Year)   | See response to line 8  | Snohomish County does not create a comprehensive "NPDES" budget. Special Condition S5.A.2 of the existing NDPES permit is satisfied by being able to generate actual or estimated expenditures, of which the response to Line 8 is an example.  |
| 10             | Primary MS4 Funding Source   | The primary sources are Road Fund, Surface Water Utility fees, and Real Estate Excise Tax, and General Fund.  |   |
| 11             | Number of Major MS4 Outfalls (Indicate Estimated or Measured)  | 86  | Estimated   |
|                |  |   |   |
|                |  |   |   |

| EPA<br>Request | tt Information Requested   | Information or information source   | Comments  |
|----------------|--|---|---|
| #              |  |   |   |
|                | Operation and Maintenance  |   |   |
| 75             | Map/inventory of the County facilities and properties within the permitted area (e.g., road maintenance facilities, storage and material handling areas, etc.) | See "October 15 Records Response Request - Line 12 County properties except Parks.xlsx", "October 15 2012 Records Request Response - Line 12 - Parks properties list 1.pdf", and "October 15 2012 Records Request Response - Line 12 - Parks properties list 2.pdf" | The lists related to Parks are a complete inventory of Parks properties. The 'County properties except Parks' list contains properties other than stormwater control facility properties that (1) have an access road, parking lot, or building regularly used by County vehicles, (2) have a constructed storm sewer system containing catch basins or pipes that falls under the maintenance requirements of the NPDES permit, (3) are regularly used by County staff for County work purposes, or (4) are intended for regular use by members of the public. |
|                | Source Control and IDDE  |   |   |
| 23             | Map/inventory of land uses/businesses that are potential polluters using the catagories of land uses and businesses in Appendix 8 of Phase I permit            | See "October 15 2012 Records Request Response - Line 23 - Business Inspection Program list.xlsx"  |   |
|                | New Development / Redevelopment  |   |   |
| 33             | Map/inventory of post-construction stormwater management practices within the County's jurisdiction (differentiating County owned/operated from private)       | See "October 15 2012 Records Request Response - Line 33 - Stormwater facilities.xlsx"   | This spreadsheet file contains stormwater facilities that are owned, operated, or regulated by the County per the NPDES permit, as well as those to which the requirements of the NPDES permit do not apply. The file segregates these two types of facilities.   |

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| of public comments on the SWMP   | http://www1.co.snohomish.wa.us/Departments/Public_Works/Services/NPDES/npdesreports_03-Dec-2010_07-28-09.htm   | See 2012 SWMP, page 14   |
| ental coordination agreements among County departments.  MS4 programs (i.e., executive order or other coordination I   | ental coordination agreements among County departments X:\Wq\NPDES\municipal stormwater permit\2007 phase 1  MS4 programs (i.e., executive order or other coordination permit\S5C3 - coordination\interdepartmental coordination\X008-50  NPDES Interdepartmental Coordination.pdf |  |
| s for  | None   |  |
| Maintenance (of County sites and properties)   |  | The state of the s |
| ter Pollution Prevention Plan (SWPPP) document—EPA et additional sites at the time of the inspection   | https://team/depts/spw/SolidWaste/Industrial%20NPDES/Cathcart%20%20NPDES% PW Solid Waste Sharepoint site - 20%20Industrial/Forms/AllItems.aspx   | PW Solid Waste Sharepoint site -<br>Cathcart SWPPP   |
| t maintenance or storage yards, and material storage d by the County that are covered under the MS4 Permit   | X:\Wq\NPDES\municipal stormwater permit\2012 audit\Countywide prep files\October 15 2012 records request response - Line 14 - properties with SWPPPs.xlsx  |  |
| /yard inspections conducted for storm water purposes ar)——EPA Inspection Team may select specific sites at the Digital on County network   | Digital on County network  |  |
| s, policies and procedures to reduce pollutants on luding: parks, open space, road right-of-ways, maintenance Digital on County network tment and flow controls  | Digital on County network  |  |
| veloped for stormwater facilities (e.g., catch basins, ow controls)  | X:\Wq\NPDES\municipal stormwater permit\2007 phase 1<br>permit\Drainage Manual & PW Admin Rule\2010 DM\Sept 2010   | See Chapter 4.6, Volume 5 of<br>Drainage Manual  |
| I maintenance of County facilities including: pipes and is, and ditches (Examples from current Permit term)  | Digital on County network  |  |
| plan/program, records, and syllabus pertaining to pollution ping (most recent Reporting Year)  | Digital on County network  |  |
| ng procedures used by the County to support this SWMP  | N/A  |  |

|   | The state of the s |                             |
|---|--|-----------------------------|
| control / business inspection / IDDE  |  |                             |
| mechanism(s) requiring the application of source control ting sources associated with existing land uses and          | http://www1.co.snohomish.wa.us/County_Services/county_code.htm   | SCC 7.53.120                |
| s completed for pollutant generating sources - EPA steerific sites at the time of the inspection                      | AMANDA database  |                             |
| nplaint-based responses   | Hard copy  |                             |
| ormation provided to businesses   | Hard copy  |                             |
| ification process (if applicable)   | N/A  |                             |
|   | http://www1.co.snohomish.wa.us/County_Services/county_code.htm   | SCC 7.53.180 - SCC 7.53.230 |
| e control incident where enforcement was used (ideally authority)   | AMANDA database  |                             |
| ous for Permittee staff whose primary duties are ontrol program (most recent Reporting Year)                          | Hard copy  |                             |
| ng procedures used by the County to support these SWMP  | N/A  |                             |
| nent, redevelopment, and stormwater facility  |  |                             |
| ed ordinance(s) or regulatory mechanism(s) pertaining to<br>tment and flow control facilities for new development and | ed ordinance(s) or regulatory mechanism(s) pertaining to the properties for new development and http://www1.co.snohomish.wa.us/County_Services/county_code.htm   | Various sections of Chapter |
|   |  | 30.03A 30.03                |
| nstruction control  | http://www1.co.snohomish.wa.us/Departments/Public_Works/Divisions/SWM/D/DrainageManual.htm   |                             |
| manent stormwater treatment and flow controls and Permittee owned (most recent Reporting Year)                        | AMANDA database, digital on County network, hard copy  |                             |
| maintenance activities for post-construction stormwater amples from most recent Reporting Year)                       | AMANDA database, digital on County network, hard copy  |                             |
| olicy requiring sites to come into compliance   | http://www1.co.snohomish.wa.us/County_Services/county_code.htm   | SCC 7.53.180 - SCC 7.53.230 |
| ous for Permittee staff that conduct post-construction ractice inspections (most recent Reporting Year)               | Digital on County network, hard copy   |                             |

Exhibit 3
Snohomish County Ordinance Chapter 7.53 Water Pollution
Control

Inspection Dates: October 23-24, 2012

CAO 10/23/12

### Chapter 7.53 WATER POLLUTION CONTROL

\*Code reviser's note: chapter 7.53 SCC, adopted by Ordinance 01-035, was re-enacted by Amended Ord. 07-030 effective on May 17, 2007, and is repealed, effective on the date six years following enactment unless re-enacted prior to that date, as provided in Snohomish County Charter Section 2.115.

#### 7.53.010 Title.

This chapter shall be known as the Snohomish County Water Pollution Control Code.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007).

#### 7.53.020 Declaration of purpose.

The purpose of this code is to protect the quality of Snohomish County's receiving waters and groundwater, and to protect the integrity of public drainage facilities, by providing minimum requirements for the control of discharges of contaminants to drainage facilities, natural drainage systems, stormwater, receiving waters, and groundwater in Snohomish County.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007; Amended by Ord. 08-091, July 30, 2008, Eff date Aug. 21, 2008).

#### 7.53.030 Applicability.

Unless specifically exempted herein, this chapter applies to all discharges that occur in the unincorporated area of Snohomish County.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007).

#### 7.53.040 Administration - Authority of directors.

The directors of public works and planning and development services are authorized to adopt and amend administrative rules pertaining to their responsibilities as established in this chapter for the purpose of implementing and enforcing the provisions of this chapter. Copies of all administrative rules and amendments thereto shall be available to the public at the respective departments.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007; Amended by Ord. 08-091, July 30, 2008, Eff date Aug. 21, 2008).

#### 7.53.050 Snohomish County Drainage Manual

The director of public works is authorized to develop, adopt and amend technical guidelines and best management practices for implementing the requirements of this chapter. These guidelines and best management practices may be a separate document, or may consist of all or a portion of the Snohomish County Drainage Manual developed by the director of public works as authorized by chapter 30.63A SCC. Prior to adoption of the manual or amendments thereto, the director shall allow a public review period of not less than 30 days. Upon adoption, a copy of the manual shall be filed with the clerk of the county council and shall also be available to the public at the department of public works.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007; Amended by Ord. 08-091, July 30, 2008, Eff date Aug. 21, 2008).

#### 7.53.060 Definitions.

In this chapter, unless the context clearly requires otherwise,

- (1) "Best management practices" or "BMPs" means physical objects, structures, managerial practices, or behaviors, that when used singly or in combination, eliminate or reduce the introduction of contaminants to stormwater, receiving waters, or groundwater.
- (2) "Chapter" means this chapter and any administrative rules and regulations adopted to implement and enforce it.
- (3) "Clean Water Act" means 33 U.S.C. 1251 et. seq., as now existing or hereafter amended.
- (4) "Connection" means a plumbing or hydraulic connection.
- (5) "Contaminant" means a solid, liquid, or gaseous substance that, if discharged to a drainage facility, natural drainage system, receiving waters or groundwater, will alter the physical, chemical, or biological properties thereof to the extent that the discharge will render the facility, system, or water harmful, detrimental, or injurious to the public health, safety, or welfare, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish, or other aquatic life. Contaminants may include, but are not limited to the following: trash or debris; construction materials; petroleum products including but not limited to oil, gasoline, grease, fuel oil or heating oil; antifreeze and other automotive products; metals in either particulate or dissolved form; flammable or explosive materials; radioactive material; batteries; acids, alkalis, or bases; paints, stains, resins, lacquers, or varnishes; degreasers and solvents; drain cleaners; pesticides, herbicides, or fertilizers; steam cleaning wastes; soaps, detergents, or ammonia; chlorine, bromine, or other disinfectants; heated water; animal wastes; sewage; animal carcasses; food wastes; bark, soils, sediment, rock and other fibrous materials; collected lawn clippings, leaves, or

branches; dyes, except as allowed in SCC 7.53.090(11); and wastewater generated by commercial or industrial activities.

- (6) "County" means Snohomish County.
- (7) "Director" means the director of planning and development services unless otherwise specified.
- (8) "Discharge" means to throw, drain, release, dump, spill, empty, emit, or pour any matter into receiving waters, groundwater, a natural drainage system, or a drainage facility, or to cause or allow matter to be thrown, drained, released, dumped, spilled, emptied, emitted or poured into receiving waters, groundwater, a natural drainage system, or a drainage facility, or to cause or allow matter to flow, run, or seep from land into receiving waters, groundwater, a natural drainage system, or a drainage facility.
- (9) "Drainage facility" means any part of a man-made physical system designed or constructed to collect, treat convey, store, or control the flow of stormwater. Drainage facilities include, but are not limited to, storm water conveyance and containment facilities, including pipelines, constructed channels and ditches, infiltration facilities, retention and detention facilities, stormwater treatment facilities, erosion and sedimentation control facilities, and all other drainage structures and appurtenances.
- (10) "Groundwater" means all waters that exist beneath the land surface or beneath the bed of any stream, lake, or reservoir, or other body of surface water, whatever may be the geological formation or structure in which such water stands, flows, percolates or otherwise moves.
- (11) "National Pollutant Discharge Elimination System" or "NPDES" means the national program authorized under the Clean Water Act for controlling pollutants from point and nonpoint source discharges into waters of the United States.
- (12) "National Pollutant Discharge Elimination System permit" or "NPDES permit" means a permit issued by the Washington State Department of Ecology (Ecology) acting on behalf of the United States Environmental Protection Agency (EPA), to implement the requirements of the Clean Water Act.
- (13) "Natural drainage system" means the physical beds and boundaries of receiving waters, including those natural drainage systems that have been altered by human actions.
- (14) "Person" means any individual, government agency, municipality, corporation, limited liability corporation, partnership, association, firm, or any other legal entity.
- (15) "Public drainage facility" means any drainage facility owned or operated by Snohomish County, including but not limited to all drainage facilities located within the public right-of-way or on other County property and easements, including natural drainage systems located therein.

- (16) "Receiving waters" means lakes, rivers, ponds, streams, wetlands, brackish or salt waters including any part of Puget Sound within Snohomish County, and all other naturally occurring surface waters and watercourses, including those for which the physical beds and boundaries have been altered by human actions.
- (17) "Snohomish County Drainage Manual" or "Manual" means the manual adopted pursuant to SCC 7.53.050.
- (18) "Source control best management practices" or "source control BMPs" means structures, equipment, supplies, or operations that are intended to prevent pollutants from coming into contact with stormwater through physical separation of areas or careful management of activities that are sources of pollutants.
- (19) "State Sediment Management Standards" means those standards established by Ecology for sediment, as set forth in Chapter 173-204 of the Washington Administrative Code.
- (20) "State Waste Discharge Permit" means a permit issued by Ecology in accordance with Chapter 173-216 of the Washington Administrative Code.
- (21) "State Water Quality Standards" means those water quality standards established by Ecology for surface waters, as set forth in Chapter 173-201A of the Washington Administrative Code, and for groundwater, as set forth in Chapter 173-200 of the Washington Administrative Code.
- (22) "Stormwater" means surface water runoff resulting from rainfall, snowmelt, or other precipitation, prior to discharge to a receiving water or groundwater.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007; Amended by Ord. 08-091, July 30, 2008, Eff date Aug. 21, 2008).

#### 7.53.065 Violations.

Violations of any provision of this chapter are subject to enforcement action under this chapter as set forth herein. A violation consists of any of the following:

- (1) Discharge of a contaminant into a drainage facility, natural drainage system, receiving water, or groundwater within Snohomish County;
- (2) Failure to notify the director of public works of a prohibited discharge or dye testing as required by this chapter;
- (3) Failure to implement technical guidelines or BMPs required by this chapter;
- (4) Failure to comply with the terms of a citation issued under SCC 7.53.180; and

(5) Failure to comply with any requirement established in this chapter or performing or allowing to be performed any act or activity prohibited by this chapter.

(Added by Ord. 08-091, July 30, 2008, Eff date Aug. 21, 2008)

#### 7.53.070 Prohibited discharges.

Except as allowed in SCC 7.53.090 or conditionally allowed in SCC 7.53.095, the following discharges to any drainage facility, natural drainage system, receiving water, or groundwater within Snohomish County are prohibited:

- (1) Any discharge not completely composed of stormwater;
- (2) Any discharge that causes or contributes to a violation of State Water Quality Standards or State Sediment Management Standards;
- (3) Any discharge that causes or contributes to a violation of any NPDES permit or State Waste Discharge permit issued to the county;
- (4) Any discharge that causes the county to be in violation of the State Underground Injection Control Program (Chapter 173-218 WAC); and
- (5) Any discharge that contains contaminants.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007; Amended by Ord. 08-091, July 30, 2008, Eff date Aug. 21, 2008).

#### 7.53.080 Prohibited plumbing or sewer connections.

Plumbing or sewer connections that could discharge contaminants to a drainage facility, natural drainage system, receiving waters, or groundwater within Snohomish County, in violation of SCC 7.53.070, are prohibited except:

- (1) Connections conveying discharges allowed by an NPDES permit or a State Waste Discharge Permit; or
- (2) Connections conveying effluent to subsurface soils from onsite sewage disposal systems authorized by the Snohomish Health District or the Washington State Department of Ecology, provided that such discharges do not otherwise violate SCC 7.53.070.

(Added Ord.01-005, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007; Amended by Ord. 08-091, July 30, 2008, Eff Aug. 21, 2008).

#### 7.53.090 Allowed discharges.

The following discharges are allowed if the discharge does not contain contaminants:

- (1) Naturally occurring surface water and groundwater;
- (2) Diverted stream flows;
- (3) Uncontaminated groundwater entering drainage facilities via pipe joints, pipe connections, manholes, defective pipes, or via seepage from the earth into open drainage structures such as ditches or ponds;
- (4) Pumped groundwater;
- (5) Water discharged from foundation drains, footing drains, and crawl space pumps;
- (6) Air conditioning condensation;
- (7) Irrigation water from agricultural sources that is commingled with stormwater;
- (8) Runoff from lawn watering and landscape irrigation;
- (9) Materials used or structures installed as part of capital construction projects, habitat restoration projects, bank stabilization projects, scientific research, or similar projects, as approved by Snohomish County, the State of Washington, or the federal government;
- (10) Marine engine exhaust and cooling water;
- (11) Non-toxic dye used for identifying and testing sewer connections; and
- (12) Non-stormwater discharges covered by another NPDES or State Waste Discharge Permit issued by Ecology or EPA.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007; Amended by Ord. 08-091, July 30, 2008, Eff date Aug. 21, 2008).

#### 7.53.095 Conditionally allowed discharges.

The following discharges are allowed only if the discharges do not contain contaminants:

- (1) Potable water discharges, including water line flushing, fire hydrant system flushing, and pipeline hydrostatic testing, when the discharge contains less than 0.1 milligram per liter of chlorine, has a pH between 6.5 and 8.5, and does not cause resuspension of sediment in the public drainage system;
- (2) Swimming pool and spa discharges other than swimming pool cleaning wastewater and filter backwash, when the discharge contains less than 0.1 milligram per liter of chlorine and does not contain algicides other than chlorine or bromine compounds; and

(3) Discharges of water from washing streets, sidewalks, and building exteriors, and water used to control dust, when the discharge does not contain soap or detergent, and when streets and sidewalks associated with active construction sites are swept prior to washing.

(Added by Ord. 08-091, July 30, 2008, Eff date Aug. 21, 2008)

#### 7.53.100 Advance notice of dye testing required.

Any person conducting dye testing in accordance with SCC 7.53.090 shall notify the director at least one day prior to the date of test.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007).

#### 7.53.110 Emergency public fire fighting discharges exempt.

Discharges resulting directly from emergency public fire fighting activities are exempt from compliance with this chapter. Discharges resulting from maintenance, repair, or operation of fire fighting equipment and facilities that are not directly associated with public fire fighting, including discharges from public fire fighting training exercises are not exempt from compliance with this chapter.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2008; Amended Ord. 08-091, July 30, 2008, Eff date Aug. 21, 2008).

#### 7.53.120 Best management practices BMPs required.

- (1) Any person storing or using materials containing contaminants in any manner that may result in a prohibited discharge shall implement the source control BMPs described in Volume 4, Chapter 2 of the Snohomish County Drainage Manual.
- (2) Any person operating a facility or performing an activity described in Chapter 3, Volume 4 of the Snohomish County Drainage Manual shall implement the source control BMPs described therein for the facility or activity.
- (3) Full implementation of all stormwater BMPs required by an NPDES industrial stormwater permit or State Waste Discharge Permit shall constitute compliance with this section.
- (4) As an alternative to implementing the BMPs described in SCC 7.53.120(1) through (3), the director of public works or planning and development services may allow or require implementation of BMPs from Volume 4, Chapters 4 or 5 or from Volumes 2, 3, or 5 of the Snohomish County Drainage Manual, or BMPs from other documents such as stormwater pollution prevention plans developed pursuant to farm plans or similar documents, if the director determines the alternative BMPs provide substantially equivalent environmental protection and

meet the objectives of safety, function, and maintenance. The director shall document in writing all such determinations and supporting information.

(5) Implementation of the source control BMPs described in SCC 7.53.120(1) through (4) is the minimum required step toward preventing prohibited discharges. Full implementation of BMPs required by this section does not exempt a person from also complying with any other requirement of this chapter.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007; Amended by Ord. 08-091, July 30, 2008, Eff date Aug. 21, 2008).

#### 7.53.130 Inspections by the director.

If not otherwise allowed by easements, covenants, or other enforceable documents, the director of either public works or planning and development services may inspect properties or facilities to determine compliance with this chapter, if permission to do so is granted by a property owner or other person with authority to grant such permission. Such inspections may include the following activities:

- (1) Examination of vehicles, trailers, tanks, or mobile or stationary equipment which could cause a prohibited discharge;
- (2) Inspection, sampling, and testing any area, discharge, material, or drainage facility for the purpose of determining the potential for contribution of pollutants to drainage facilities or receiving waters;
- (3) Investigation of the integrity of drainage facilities on the premises using appropriate tests including but not limited to dye or smoke testing or video surveys;
- (4) Creating records reasonably necessary to document conditions related to stormwater pollution or BMPs implemented on the premises, including but not limited to photographs, video, measurements and drawings; and
- (5) Inspection and copying of nonconfidential records relating to site activity or processes presently or previously occurring, including but not limited to material safety data sheets, stormwater pollution prevention plans, spill response plans, hazardous waste manifests, drainage inspection records, state or federal stormwater permits, or other records related to prohibited connections or discharges.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007; Amended by Ord. 08-091, July 30, 2008, Eff date Aug. 21, 2008).

#### 7.53.140 Maintenance and repair of drainage facilities.

- (1) Any owner or operator of a drainage facility of the types described in Volume V, Chapter 4 of the Snohomish County Drainage Manual must ensure that the drainage facility is maintained in accordance with the maintenance standards set forth in that chapter; except that the drainage facility maintenance schedule contained in Volume V, Chapter 4 of the Snohomish County Drainage Manual shall only apply to drainage facilities that are operated or regulated by the County pursuant to the County's NPDES permit.
- (2) Inspection and maintenance records shall be retained by the owners or operators of the drainage facilities described in SCC 7.53.140(1) for a minimum of five years, and shall be made available to the County upon request.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007; Amended by Ord. 08-091, July 30, 2008, Eff date Aug. 21, 2008; Amended by Ord. 08-135, Oct. 29, 2008, Eff date Nov. 13, 2008; Amended by Ord. 10-076, Sept. 29, 2010, Eff date Oct. 11, 2010).

#### 7.53.150 Notification of discharges required.

Any person causing or allowing a prohibited discharge shall report the discharge immediately upon discovery to the director of either public works or planning and development services. This reporting requirement is in addition to any other notification required under federal, state or local laws and regulations.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007; Amended by Ord. 08-091, July 30, 2008, Eff date Aug. 21, 2008).

#### 7.53.160 Investigation and testing of prohibited discharges.

If the director of either public works or planning and development services determines either by notification or by testing that a prohibited discharge is occurring or has occurred, he or she may require the person causing or allowing the discharge to investigate and test private plumbing, sanitary sewers, and drainage facilities, and test water to determine the nature and character of the discharge, or to determine the source or cause of the discharge. Alternatively, the director may perform such investigations and tests and recover the costs thereof to enforce this chapter as authorized herein.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007; Amended by Ord. 08-091, July 30, 2008, Eff date Aug. 21, 2008).

#### 7.53.170 Enforcement -- chapter 30.85 SCC not applicable

Enforcement of violations of this chapter and standards required hereunder is not subject to the provisions of chapter 30.85 SCC.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Ord. 02-098, December 9, 2002, Eff date February 1, 2003; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007).

#### 7.53.180 Enforcement -- citation and order to cease violation.

- (1) Whenever any condition is found to be in violation of this chapter or standards required hereunder, the director may cause a citation to be issued to the person(s) causing or allowing the violation, which may include an order to immediately cease the activity causing the violation.
- (2) The citation shall include the following information:
- (a) The name(s) of the parties determined to be responsible for the violation(s);
- (b) The address or legal description of the location where each violation has occurred;
- (c) A brief description of the activity which is causing or allowing the violation;
- (d) The specific provision of this chapter which has been violated;
- (e) A description of any required corrective action;
- (f) A deadline by which corrective action, if any, must be completed;
- (g) The amount of monetary penalty imposed, if any, and the date by which payment shall be made;
- (h) The signature and written name of the county official issuing the citation;
- (i) The date of the citation; and
- (j) Notice of the right to appeal provided in SCC 7.53.230.
- (3) A citation may be amended at any time to correct clerical errors, which shall not affect the validity of the citation.
- (4) The citation shall be served upon the party or parties named therein by one of the following methods: either:
- (a) By personal service;
- (b) By certified mail, sent to the last known address of the party or parties named in the citation;

(c) If the address of the party or parties named in the citation is unknown, by posting a copy of the citation in a conspicuous place at the site of the violation.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007; Amended by Ord. 08-091, July 30, 2008, Eff date Aug. 21, 2008).

#### 7.53.185 Warning notice as alternative to citation.

- (1) As an alternative to issuing a citation, the director may issue a warning notice to a person or persons causing or allowing an apparent violation of this chapter if the apparent violation can be corrected within a reasonable amount of time. A warning notice is a communication by the director containing recommended actions that may be taken by a person responsible for an apparent violation in order to potentially avoid the issuance of a citation.
- (2) The warning notice shall include the following information:
- (a) The name(s) of the parties determined to be responsible for the apparent violation(s); (b) The address or legal description of the location where each apparent violation has occurred;
- (c) A brief description of the activity which is causing or allowing the apparent violation;
- (d) The specific provision of this chapter which has been apparently violated;
- (e) A description of any recommended corrective action;
- (f) A deadline by which corrective action should be completed in order to avoid issuance of a citation by the director;
- (g) The signature and written name of the county official issuing the warning notice; and
- (h) The date of the warning notice.
- (3) The director retains the authority to issue a citation for a violation of this chapter irrespective of previous issuance of a warning notice.

(Added by Ord. 08-091, July 30, 2008, Eff date Aug. 21, 2008)

#### 7.53.190 Enforcement -- Civil penalties and eosts.

Whenever a condition is found to be in violation of this chapter or standards required hereunder, the director may impose a monetary penalty upon the person(s) causing or allowing the violation in an amount not less than \$100.00 but not more than \$1,000.00 per day, for each violation. The director shall develop written policies governing the imposition or suspension of penalties under this section which shall be forwarded to the county council for approval by written motion. In addition to any other penalty or method of enforcement authorized by this chapter, upon the request of the director, the prosecuting attorney may bring a civil action in superior court to

enforce this chapter. In addition to any penalties imposed under this section, the person cited shall be liable for all costs, including costs of mitigating or remediating any damage caused by the unlawful discharge and the costs of suit and reasonable attorney's fees incurred by the county in enforcing this chapter.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007; Amended by Ord. 08-091, July 30, 2008, Eff date Aug. 21, 2008).

#### 7.53.200 Enforcement -- Criminal penalty.

As an alternative to any other legal or equitable remedy provided in this chapter or other law, any person who willfully or knowingly violates any provision of this chapter or any order issued pursuant to this chapter, or by each act of commission or omission procures, aids or abets such violation, shall be guilty of a misdemeanor and upon conviction shall be punished in the manner provided for in RCW 9A.20.021, as it now exists or is hereafter amended, for violations of state law. Each day such violation continues shall be considered an additional misdemeanor offense.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007).

#### 7.53.210 Joint and several liability.

Each person causing or allowing a violation of this chapter shall be jointly and severally liable to the county for the violation and any penalties, costs and fees imposed as a result of the violation.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007).

#### 7.53.220 Voluntary compliance agreements.

- (1) Whenever the director finds that it is in the county's best interests to enter into a contract with a person cited under this chapter for the purpose of ordering corrective action or the performance of mitigation or remediation work to the site impacted or damaged by a violation of this chapter, the director may recommend to the county executive that a voluntary compliance agreement be executed with such person. By entering into such an agreement, the person cited waives any right to appeal a citation issued under this chapter.
- (2) The voluntary compliance agreement shall specify the work or actions to be taken and the deadline by which the same shall be accomplished. By entering into such an agreement, the person cited consents to the entry of the county onto their property for purposes of inspection of the required work provided that the county shall endeavor to notify the person cited before the inspection.
- (3) The director may suspend penalties under a voluntary compliance agreement contingent upon the satisfactory completion of all work required thereunder. However, the agreement shall

provide that if the responsible party fails to comply with the terms of the agreement, any penalties suspended during the term of the agreement may be tripled and imposed upon the person cited, beginning from the date of the violation. Upon successful completion of all requirements set forth in the agreement, the department shall issue written confirmation of such completion to the responsible party.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007; Amended by Ord. 08-091, July 30, 2008, Eff date Aug. 21, 2008).

#### 7.53.230 Appeal.

Any person receiving a citation issued under this chapter may appeal such citation to the Snohomish County Superior Court. Appeals must be filed and served upon the county within 20 calendar days after issuance and service of the citation. The filing of an appeal shall not stay the effect of any order issued pursuant to SCC 7.53.180, provided that, subsequent to the filing of an appeal, the court may enter a stay in its discretion. The appeal shall be heard by the court sitting without a jury. At the hearing on the appeal, the county shall have the burden of proof which shall be met by a preponderance of the evidence.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007).

#### 7.53.240 No county liability.

Administration or enforcement of this chapter shall not be construed to impose or create a basis for any liability on the part of the county, its appointed or elected officials, officers, agents, or employees, nor shall this chapter be construed to create any special relationship with or otherwise protect any specific person or class of persons.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007).

#### 7.53.250 Immunity from suit.

- (1) Any county appointed or elected officials, officers, agents or employees charged with the administration or enforcement of this chapter acting in good faith and without malice on behalf of the county, shall not be personally liable for any damage that may accrue to persons or property as a result of any act required by the county, or by any reason of any act or omission in the discharge of those duties.
- (2) Any suit brought against county appointed or elected officials, officers, agents or employees because of an act or omission performed in the administration or enforcement of any provision of this chapter shall be defended by the county subject to the provisions of SCC 2.90.085.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007).

#### 7.53.260 Compliance with other laws.

Compliance with this chapter does not constitute a waiver of the requirements of any other applicable federal, state or local laws and regulations.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007).

#### 7.53.600 Sunset.

This chapter is repealed effective on the date six years following re-enactment (May 7, 2013) unless re-enacted prior to that date, as provided in Snohomish County Charter section 2.115.

(Added Ord. 01-035, May 23, 2001, Eff date June 2, 2001; Amended Ord. 07-030, May 2, 2007, Eff date May 17, 2007).

Exhibit 4
Example of Business Inspection Follow-Up Letter dated
September 26, 2012

Inspection Dates: October 23-24, 2012

Snohomish County
Public Works

CAD 10/23/12

Aaron Reardon County Executive

3000 Rockefeller Ave., M/S 607 Everett, WA 98201 -- 4046 (425) 388-3464 FAX (425) 388-6455

Wednesday, September 26, 2012

Primus International - Accra Division 17703 15TH AVE SE BOTHELL WA 98012-6470

Subject: Business inspection of Primus International - Accra Division

#### Dear Business Owner/Manager:

Thank you for your cooperation during our National Pollution Discharge Elimination System (NPDES) source control inspection conducted on **August 30**, **2012**. Snohomish County is required to inspect businesses under a federal law entitled the *Clean Water Act* to alleviate conditions that can contribute to increased stormwater pollution. The Washington Department of Ecology is administering the *Clean Water Act* requirements locally by issuing Snohomish County a Municipal Stormwater Permit. As a result of this permit, the Snohomish County *Water Pollution Control Code (SCC 7.53)*, and *Drainage Code (SCC 30.63A)*, require that businesses implement Best Management Practices (BMPs) to reduce the amount of pollution discharged to Snohomish County stormwater drainage systems. The *Snohomish County Drainage Manual (Volume IV)* details required BMPs.

We are available to provide technical assistance to businesses to achieve compliance; however, it is up to you to implement the necessary BMPs to comply with Snohomish County Code.

SWM staff will conduct a follow-up inspection during the <u>week of Monday, October 22, 2012</u> to ensure that the BMPs attached with this letter are addressed.

To view Snohomish County Drainage Manual Volume IV and other program related information and material:

Go to www.snoco.org then type keywords – Business Inspection Program

Thank you for your prompt attention to this matter. If you have any questions or concerns regarding the inspection or identified corrections, please contact me at <u>425.388.3464 ex. 4601 or steve.dellino@snoco.org.</u>

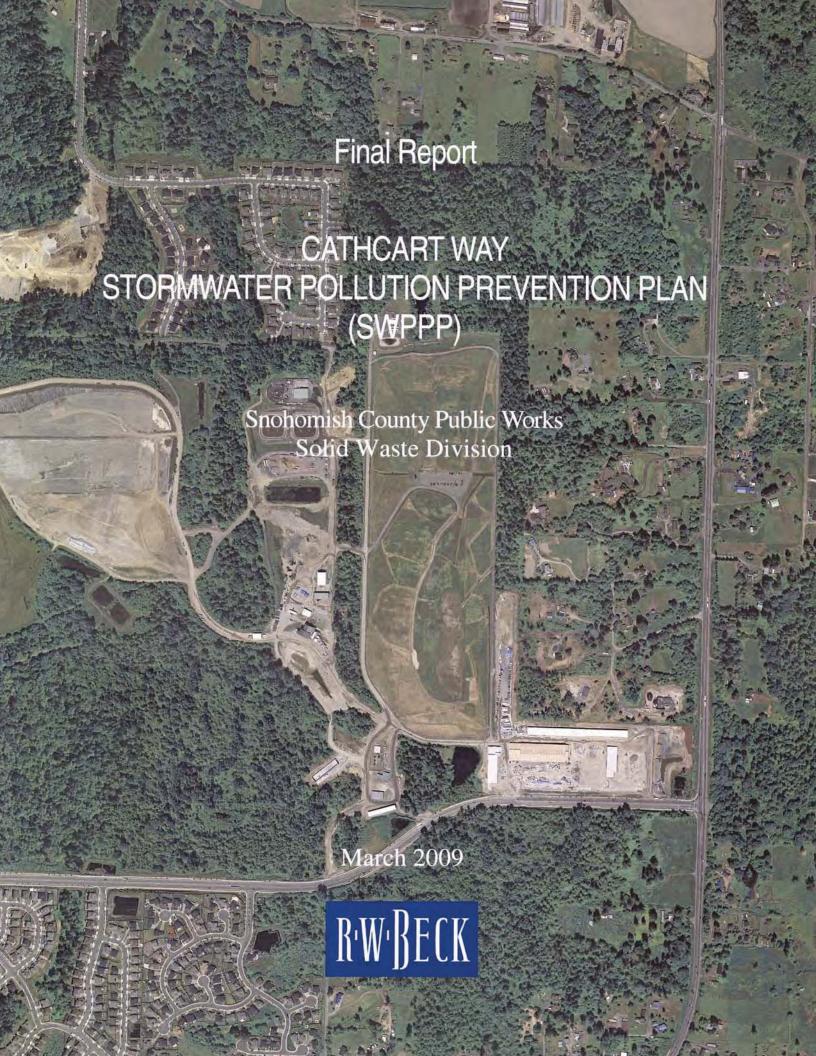
Sincerely,

Steve Dellino, Planner
Business Inspection Program
Snohomish County, Surface Water Management

Enclosures:

Exhibit 5
Cathcart Operations Center Stormwater Pollution Prevention Plan (SWPPP)

Inspection Dates: October 23-24, 2012



### Final Report

# CATHCART WAY STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

Snohomish County Public Works Solid Waste Division

March 2009



#### CERTIFICATE OF ENGINEER

#### **SNOHOMISH COUNTY**

### Cathcart Way Stormwater Pollution Prevention Plan (SWPPP)

The technical material and data contained in this report were prepared under the supervision and direction of the undersigned, whose seal as a registered professional engineer licensed to practice as such in the State of Washington is affixed below.



Beverley Charlish, P.E.

Civil Engineer R. W. Beck, Inc.



# CATHCART WAY STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

# **Snohomish County Public Works Solid Waste Management Division**

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This report has been prepared for the use of the client for the specific purposes identified in the report. The conclusions, observations and recommendations contained herein attributed to R. W. Beck, Inc. (R. W. Beck) constitute the opinions of R. W. Beck. To the extent that statements, information and opinions provided by the client or others have been used in the preparation of this report, R. W. Beck has relied upon the same to be accurate, and for which no assurances are intended and no representations or warranties are made. R. W. Beck makes no certification and gives no assurances except as explicitly set forth in this report.

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# Section 1 SWPPP INTRODUCTION

# 1.1 Stormwater Pollution Prevention Plan (SWPPP) Overview

#### 1.1.1 NPDES Industrial Stormwater General Permit and SWPPP

Under federal and state water quality law (federal Clean Water Act an d state W ater Pollution Control Act), the discharge of wa stewater, including stormwater, requires a permit. The Code of Federal Regulations (CFR) Title 40, Part 122.1 (b) (40 CF R 122.1 (b)) requires perm its for the discharge of pollutants from any point source into waters of the United States. 40 CFR 122.26(b)( 14) (i) -(xi) identi fies the industries required to apply for covera ge under the Industrial S tormwater General Perm it. A general permit applies to a group of dischargers as a whole and im plements both the federal Clean W ater Act and state W ater Pollution Control Act. The draft general permit addresses legal requirements and controls the discharge of pollutants to protect surface water and ground water quality in Washington State under the authority of Revised Code of Washington (RCW) 90.48.260.

Washington State Department of Ecology, Water Quality Program, is delegated by the U.S. Environm ental Pro tection Agency (EPA) as the state water pollution control agency, responsible for implementing all federal and state water pollution control laws and regulations. Wastewater and storm water discharges are regulated primarily by wastewater discharge permits, which stipulate specific limits and conditions of allowable discharge.

Snohomish County Cathcart W ay site is required to have Industrial Storm water General Permit coverage, and the SWPPP is a requirement of the permit.

### 1.1.2 SWPPP Objectives

The objectives of a SWPPP are:

- To implement and maintain Best Management Practices (BMPs) that identify, reduce, eliminate, and/or prevent the discharge of stormwater pollutants;
- To prevent violations of surface water quality, groundwater quality, and sediment management standards;
- To prevent adverse impacts to receiving water by controlling peak rates and volumes of stormwater runoff; and



 To eliminate the discharges of unpermitted process wastewater, domestic wastewater, noncontact cooling water, and other illicit discharges to stormwater drainage systems.

## 1.2 SWPPP Administrative Requirements

### 1.2.1 Required Signatures

SWPPP inspection and certification forms (i.e. Discharg e Monitoring Reports) must be signed by a duly authorized representa tive of the facility. See Part 1.2.5 Maintenance of Records of this section for locations of the forms. Modifications to this SWPPP are to be issued under the signature of the Responsible Official (Section 2 - Pollution Prevention Team).

### 1.2.2 SWPPP Retention and Availability

This SWPPP shall be retained on-site or within reasonable access to the site. It shall be made available to the Department of Ecology upon request, but is not submitted to Ecology.

### 1.2.3 Plan Modification Requirements

Should Ecology notify the Snohom ish County Solid Waste Management Division that the SW PPP does not meet one or more of the m inimum requirements of Ecology's Permit, a plan f or modification shall be submitted to Ecology within 30 days of such notice.

The SW PPP shall be modified according by whenever there is a change in design, construction, operations, or maintenance which causes the SWPPP to be less effective in controlling pollutants. Record revisions to the SWPPP on Worksheet 7. Modifications need not be submitted to Ecology.

#### 1.2.4 Non-Compliance Notification

In the event that Snohom ish County, (the Perm ittee) is unable to com ply with any of the terms and conditions of the NPDES Industr ial General Perm it that could result in the discharge of pollutants in a significant amount, Snohomish County shall:

- 1. Immediately take action to minimize potential contamination or otherwise stop the noncompliance and correct the problem;
- 2. Immediately notify the appropriate Northwest Region Ecology office of the failure to comply (see Table 1-1 DOE Contacts); and

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- 3. Submit a detailed written report to Ecology within thirty (30) days unless Ecology requests an earlier submission. The report shall contain:
  - A description of the nature and cause of non-compliance, including the quantity and quality of any unauthorized waste discharges;
  - The period of non-compliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue and when compliance will be achieved; and
  - The steps taken, or to be taken, to reduce, eliminate, and prevent recurrence of the non-compliance.

In the case of any discharge which could constitute a threat to human health, welfare, or the environment, the Northwest Region Ecology office shall be notified (see Table 1-1 DOE Contacts) within 24 hours from the time a Site Manager (Section 2 - Pollution Prevention Team) becomes aware of the circumstances. Request an incident number for tracking purposes. If this information is provide d orally, a written submission covering these points shall be provided by the Perm ittee within five days after knowledge of the circum stances, unless Ecology waives or extends this requirement on a case-by-case basis.

### 1.2.5 Washington State Department of Ecology (DOE) Contacts

Table 1-1 DOE Contacts

| DOE  |  | Contact      |
|--|--|--------------|
| DOE Spill Response Team  | For spills to the environment greater than 5 gallons               | 425-649-7000 |
| Northwest Region Ecology Office (Bellevue)                                 | For Snohomish County   | 425-649-7046 |
| Charles Gillman<br>Industrial Stormwater Permit<br>Administrator (Olympia) | For Industrial Stormwater permit questions for<br>Snohomish County | 360-407-6437 |

#### 1.2.6 Maintenance of Records

All records will be kep t with the S WPPP. Blank forms are provided in Appendix C. Completed for ms are to be dated and ke pt in reverse chronological order in Appendix D. Changes in the SWPPP also need to be tracked. Record revisions to the SWPPP on Worksheet 7.

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Table 1-2 SWPPP Forms Purpose and Reporting Frequency Summary

| Number       | Title   | Purpose   | Reporting Frequency  |
|--------------|---|---|--|
| Worksheet 1  | Material Inventory  | List materials handled, treated, stored, or disposed of at the site that may potentially be exposed to precipitation or runoff. Also indicate if any spills or leaks of pollutants have occurred. | Keep current. Update as new material is handled, treated, stored, or disposed of.        |
| Worksheet 1A | Description of<br>Exposed Significant<br>Material   | Based on Worksheet #1, list<br>significant materials that have been<br>exposed since November 18, 1989  | Keep current. Update if any new material is exposed.                                     |
| Worksheet 2  | List of Significant<br>Spills and Leaks   | List all spills and leaks as indicated on Worksheet 1.  | Keep current and coordinated with Worksheet 1.   |
| Worksheet 3  | Record of Visual<br>Inspections of<br>Stormwater<br>Discharges                                | List observed pollutants in all discharges.   | Quarterly. To be completed by Sampling Monitoring Staff during sampling.                 |
| Worksheet 3A | Record of<br>Visual Inspections   | Record inspection of Solid Waste Division (SWD) facility elements.  | Quarterly. To be completed and certified by qualified personnel per Section 2.           |
| Worksheet 3B | Record of<br>Visual Inspections   | Record inspection of Roads<br>Maintenance Division (RMD) facility<br>elements.  | Quarterly. To be completed and certified by qualified personnel per Section 2.           |
| Worksheet 3C | Record of<br>Visual Inspections   | Record inspection of Fleet<br>Management Division (FMD) facility<br>elements.   | Quarterly. To be completed and certified by qualified personnel per Section 2.           |
| Worksheet 3D | Record of<br>Visual Inspections   | Record inspection of Sherriff's Office (SO) facility elements.  | Quarterly. To be completed and certified by qualified personnel per Section 2.           |
| Worksheet 3E | Record of<br>Visual Inspections   | Record inspection of Materials Lab (ML) facility elements.  | Quarterly. To be completed and certified by qualified personnel per Section 2.           |
| Worksheet 3F | Record of<br>Visual Inspections   | Record inspection of Storm Drainage System elements.  | Quarterly. To be completed and certified by qualified personnel per Section 2.           |
| Worksheet 4  | Non-Stormwater<br>Discharge Dry<br>Weather (Jul, Aug,<br>Sep) Assessment<br>and Certification | Record the presence of unpermitted non-stormwater discharges.   | Annually during July, August, or September after 7 consecutive days of no precipitation. |
| Worksheet 5  | BMP<br>Implementation   | Implementation plan to add new or revise existing BMPs resulting in a modification to the SWPPP.  | Keep current.  |

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#### **SWPPP INTRODUCTION**

| Number      | Title                      | Purpose                                  | Reporting Frequency |
|-------------|----------------------------|--|---------------------|
| Worksheet 6 | Employee Training          | Record the annual training of employees. | Update Annually.    |
| Worksheet 7 | SWPPP Revisions            | Record any updates/changes to the SWPPP. | Keep current.       |
| -           | Chain of Custody<br>Record | Stormwater Sampling for Monitoring Plan. | Quarterly.          |
| -           | Field Sampling<br>Data     | Stormwater Sampling for Monitoring Plan. | Quarterly.          |

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# Section 2 POLLUTION PREVENTION TEAM

The following Snohom ish County Staff are involved in implementing the Storm water Pollution Prevention Plan. Each of these in dividuals is authorized to sign discharge certification forms, and they may delegate the monitoring tasks to any individual who has been properly trained as per the Employee Training Program (Section 9).

Responsible Official: Matt Zybas Title: Interim Director,

**Solid Waste Division** 

Team Leader: Deanna Carveth Title: Project Specialist IV

Office: 425-388-6473

• Direct, coordinate, and ensure that BMPs are implemented.

- Schedule semi-annual compliance evaluations.
- Review and revise SWPPP when needed.
- Budget for maintenance of existing BMP features.
- Request construction of new or major modifications of existing BMPs if needed.

#### **Site Managers:**

SWD: Scott Taylor, Solid Waste Maintenance Supervisor Office: 425-388-7616 RMD: Ted Parker, Senior Environmental Coordinator Office: 425-388-7524 FMD: Wayne Fincher, Equipment Maintenance SupervisorOffice: 425-388-7515 SO: Ken Christensen, Evidence Supervisor Office: 425-388-7051

- Coordinate and implement Operational and Source Control BMPs for the applicable area(s) for their division within the Cathcart Way Facility.
- Participate in compliance evaluations.
- Report problems, needed maintenance, or degradation of BMPs to Team Leader.

Coordinator: Neil Bresheare Title: Interim Environmental Services
Section Supervisor

Office: 425-388-7651

- Participate in compliance evaluations.
- Provide advice and technical support for SWPPP revisions, maintenance of existing, and design of new, BMPs.
- Coordinate stormwater sampling activities.
- Provide advice and technical support for sampling activities.

SWD: Solid Waste Division RMD: Roads Maintenance Division

FMD: Fleet Management Division SO: Sherriff's Office



# Section 3 SITE INTRODUCTION

#### 3.1 Facilities

The Cathcart Way Site is located in Snohomish County about five miles south of the City of Snohomish and one-half mile west of State Highway 9 and is operated by the Snohomish County Public Works (Figure 3-1).

Within the site boundaries the ere are facility elements managed by the Solid Waste Division, Road Maintenance Division, Fleet Management Division, and the Sherriff's Office which include:

Solid Waste Division (SWD):

- Closed Landfill
- Leachate Pretreatment Facility and Collection System
- Cathcart Way Recycling and Transfer Station (CWRTS)
- Vactor Truck Grit Decant Facility
- Vactor Truck Solids Storage and Drying Area
- Landfill Gas Flare Facility
- Canola Processing Facility

Road Maintenance Division (RMD):

- Road Maintenance Facility
- Cathcart Way Facility Parking Area
- Truck Wash Facility
- Sand Shed
- Material Storage Yard
- Materials Lab

Fleet Management Division (FMD):

- Fleet Management Facility
- Fueling Station

Sherriff's Office (SO):

- Sherriff's Office Impound Lot
- Sherriff's Office Shooting Range Facility

Cathcart Way site facility element locations are shown on Figure 3-2 and a sche matic key map on Figure 3-7. Figures 3-3 through 3-6 show subareas of the overall site in



closer detail. Specific activ ities associated with these facility elem ents are described in the Site Assessment in Sections 5 through 8 for the SWD, RMD, FMD, and the SO.

## 3.2 Drainage Basins and Natural Drainage Paths

On the site there are five major drainage basins per the Cathcart Public Works Facility Full Drainage Report (90% Subm ittal, Pert eet, March 2006). There are also five detention ponds that collect flow from different areas of the site (Figure 3-2).

- 1. **Pond A** is located in the southeast corn er of the site just pas t the Road Maintenance Facility p arking lot. This pond receiv es runoff from the Road Maintenance Facility from catch basins along the parking lot and a ditch to the south of the site. Sampling occurs at DP-A where DP means discharge point.
- 2. **Pond C** is located sou th across the road from the Cathcart W ay Recycling and Transfer Station (CWRTS) and receives runoff from the south side of the CWRTS and the west side of the office build ings next to the Road Maintenance Administration Facility. Sampling occurs at DP-C.
- 3. **Pond D** is located between the Road Maintenan ce Material Storage Yard and the Leachate Collection and Treatment Facility. It receives runoff from the north of the CWRTS and the Road Maintenance Material Storage Yard via a ditch on the east side of the yard. Sampling occurs at DP-D.
- 4. **Pond E** is located just behind the Sherriff's Office impound lot and receives runoff only from the impound lot. Sampling occurs at DP-E.
- 5. **Pond F** is located north of the closed landfill and receives runoff from the closed landfill via the lined ditches around the closed landfill mound. Sampling occurs at DP-F.

Pond A discharges to a ditch along Highway 9.

Pond D discharges into **Outcrop Creek** which flows along the west side of the site. Outcrop Creek also flows to the north and into the Snohomish River flood plain.

Ponds C, E, and F all discharge into **Garden Creek** which runs through the center of the site. Garden Creek runs south to north through the site and then into the Snohomish River flood plain where it makes its way into the river.

See Section 10 - Monitoring Plan for sampling requirements.

### 3.3 Documentation References

Site facility references that may be of use include:

Final Design Report - Leachate Pretreatment Facilities; HLA/Harper-Owes, 1989

Construction Drawings; Contract #3: Leachate Pretreatment and Truck Wash Facility Construction; Parametrix, Inc, 1990

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Cathcart Public Works Facility Full Drainage Report 90% Submittal; Perteet, March 2006

Cathcart Way Recycling and Transfer Station Operations and Maintenance Manual; November 2008, Snohomish County Solid Waste Division

Cathcart Way Operations Center Fueling Station O&M Manual; May 2008, Mascott Equipment

Cathcart Way Operations Center Wash Rack O&M Manual; May 2008, InterClean Equipment

Leachate Pre-treatment facility O&M Manual Parametrix, April 1994

Flare Facility O&M Manual; Parametrix, April 1994

Vactor Decant Facility O&M Manual; August 2006, IMCO General Construction

Snohomish County Solid Waste Facilities Closure and Post-Closure Plan; October 1992, Snohomish County Public Works Solid Waste Division

Cathcart Way Operations Center Road Maintenance Facilities O&M Manual; Cathcart Way Operations Center Fleet Maintenance Division O&M Manual; Cathcart Way Operation Center Sheriff Impound Yard O&M Manual; Cathcart Way Operations Center Road Maintenance Materials Storage Yard O&M Manual; These references are located at 8915 Cathcart Way, in the Adm inistration Building on the second floor.

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Figure 3-1 Cathcart Way Vicinity Map

Stormwater Pollution Prevention Plan Snohomish Coutny Public Works



